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HONORABLE PAUL B. SNYDER
Location Tacoma
Chapter 11
Hearing Date: November 26, 2013
Hearing Time: 2:00 p.m.
Response Date: Time of Hearing

8 UNITED STATES BANKRUPTCY COURT
9 WESTERN DISTRICT OF WASHINGTON AT TACOMA

10 In re
11 PETTIT OIL COMPANY, INC.
12 Debtor.

No. 13-47285

EMERGENCY NOTICE AND
MOTION FOR ORDER
AUTHORIZING DEBTOR TO
CONTINUE USING PREPETITION
BUSINESS BANKING ACCOUNT
AND CHECKS

13
14 **NOTICE**

15 TO: The Clerk of the Court
16 AND TO: Brian L. Budsberg, attorney for Debtors
17 AND TO: All Creditors and Parties-In-Interest
AND TO: U. S. Trustee

18 PLEASE TAKE NOTICE that the Debtor has filed a motion for Order Authorizing
19 Debtor to Continue Using Prepetition Business Banking Accounts and Checks. The Debtor will
20 proceed to enter an order with this Court authorizing Debtor to Continue Using Prepetition
21 Business Banking Accounts and Checks at a hearing scheduled **November 26, 2013 at 2:00**
22 **p.m., in the United States Bankruptcy Court, 1717 Pacific Ave., Suite 2100 Tacoma, WA**
23 **98402-3233, Courtroom H.** Anyone having an objection to the attorney's action must file a
24 written objection with the Court, with a copy served on Debtor's counsel at the address indicated
25 below, no later than the date and time of the hearing, November 26, 2013 at 2:00p.m. Failure to
26 file such written objection by the response date will allow movant to obtain the relief requested

NOTICE AND MOTION FOR ORDER
AUTHORIZING DEBTOR TO CONTINUE
USING PREPETITION BUSINESS
BANKING ACCOUNT AND CHECKS

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1 in the motion without further notice of hearing. **Any party who wishes to attend this hearing**
2 **telephonically must contact the bankruptcy courtroom deputy Shawn Utley at 253 882-**
3 **3951, prior to the hearing date and time to obtain call in information.**

4 **MOTION**

5 **FACTUAL BACKGROUND**

6 The Debtor commenced these case on November 25, 2013 (the “Petition Date”), has
7 retained control over its assets, and continues to operate its business pursuant to §§ 1107 and
8 1108 of the Bankruptcy Code.
9

10 **PRE-PETITION CHECKS AND CHECKING ACCOUNTS**

11 The Debtor maintains its operating accounts with Key Bank, Sterling Bank, and US
12 Bank, into which it deposits its revenues and pays its liabilities. The Debtor deposits all end of
13 day sales to Key Bank. Checks are written from the associated checking accounts.

14 The parties with which the Debtor transacts business will be aware of its status as a
15 debtor-in-possession. It would be needlessly burdensome, as well as, disruptive to business
16 operations, for the Debtor to change its bank accounts and checks. The Debtor therefore
17 respectfully requests that it be authorized to use its prepetition checks and checking accounts
18 without placing the label “debtor-in-possession” on each check. The Debtor also requests that all
19 pre-petition checks for the business purposes be honored.
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1 **CONCLUSION**

2 Based upon the foregoing, the Debtor respectfully requests that the Court enter an order
3 authorizing it to continue to use its existing cash management system and its prepetition checks
4 and checking accounts and that Key Bank, Sterling Savings Bank and U.S. Bank honor all pre-
5 petition checks written on these accounts.
6

7 DATED this 25th day of November, 2013.

8 BUDSBERG LAW GROUP, PLLC

9 /s/ Brian L. Budsberg

10 Brian L. Budsberg, WSBA #11225

11 Benjamin J. Riley, WSBA#34949
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